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T H E

T R I A L at L A R G E

O F

J O H N B O L T O N, Gent.

Of B U L M E R, near C A S T L E - H O W A R D.

For the wilful Murder of

E L I Z A B E T H R A I N B O W,

His A P P R E N T I C E G I R L,

On S U N D A Y the 21st of A U G U S T, 1774.

B E F O R E

The Hon. Sir H E N R Y G O U L D, Knight,

One of his M A J E S T Y's Justices of the Court of COMMON PLEAS,

At the L E N T A S S I Z E S, holden at the Castle of Y O R K, in March 1775.

Taken down in Short Hand in the COURT,

By W. W I L L I A M S O N,

T E A C H E R of that A R T,

And published agreeable to the Order of the J U S T I C E S.

Y O R K: Printed by C. E T H E R I N G T O N.

[Price S I X P E N C E.]

T H E T R I A L O F J O H N B O L T O N.

JOHN BOLTON for the wilful Murder of ELIZABETH RAINBOW, single woman, at the parish of Bulmer, in the county of York, on the 21st day of August, 1774, by strangling her with both his hand and with a stick, and a cord tied about her neck.

J U R Y.

William Hall,	John Daniel,
Robert Kitchen,	Dickinson Cockerill,
William Gott,	William Atkinson,
Thomas Wetherill,	Matthew Todd,
Roger Hodgson,	John North,
Robert Butterfield,	William Bland.

COUNSEL for the PROSECUTION.

Gentlemen of the Jury,

I AM Counsel in support of this prosecution against the prisoner at the bar, who stands indicted for the wilful murder of Elizabeth Rainbow.

Gentlemen, as this is a crime of the most heinous nature; you will undoubtedly expect convincing evidence that the prisoner at the bar is guilty of it before you bring in your verdict. In transactions of this sort, it is very rare that positive proof can be given of the fact. Whenever a person premeditates a deed

of this kind, it is natural to form a plan, and to put it in execution in the most secret manner.

Gentlemen, it must only be circumstances both before and after relating to the person deceased, and the prisoner at the bar, that constitute the crime, and can confirm the evidence. Of this nature is the present case before you. I shall state the circumstances of this indictment in as plain and concise a manner as I can; I shall not exaggerate, neither is it my duty to extenuate any part of them.

The prisoner at the bar was formerly in the army, but coming into this country, he met with a gentlewoman, who had a small estate at Bulmer, whom he married, and resided at that place till the fact was committed for which he stands charged before you.

He had by this Lady four or six children. About six years ago he applied to a place called Ackworth, where there is an hospital, from whence children are put out apprentices; the prisoner applied for two, the one was a boy, the other the unfortunate woman deceased; they continued to live with him till the time this misfortune happened; the girl grew up to woman's estate, and it was her misfortune to be handsome. She was with child, and in all probability it was that which brought her to the cruel death which she suffered. Whether or not the prisoner at the bar is guilty of the crime laid to his charge, it is for you to consider.

The circumstances are shortly these:

It happened on Sunday the 21st of August, 1774, in

the afternoon, that Mrs. Bolton went out upon a visit, took her daughter with her to Miss Goddard's, there was no person left in the house but the prisoner at the bar, a little child of his, and the deceased. About four o'clock he gave orders to his apprentice Emanuel Bowes, to fetch a cow doctor. The apprentice took a horse, and the little boy (the prisoner's child) had seen him intending to go away, he wanted to go with him, and he therefore took the boy along with him. He returned about four o'clock. After they were gone a neighbouring woman called Elizabeth Scayling, went to the prisoner's house to get some milk; when she went there the prisoner at the bar and the deceased were both in the house. This woman paid some money to the deceased Elizabeth Rainbow for milk that a neighbour had got before, she would likewise have paid for her own milk, but the girl had not change; the deceased desired her to let it alone whilst her mistress came home.

Elizabeth Scayling went away, and the apprentice boy shortly after returned; he went into the yard to what they call the glass door, and knocked, but it was fastened; he then went to the door towards the street, that was likewise fastened, and no-body appeared to open it. One William Masterman, who lived opposite to the prisoner, was sitting at his door, and a child with him, seeing the boy knocking at the door and not getting in, bid him knock harder; some time after this he saw the prisoner at the bar going out at the glass door and towards the stable, upon which he desired the boy to follow his master, and on his going up to him, he found his master's hair out of order, and without his hat. The prisoner at the bar made no inquiry about the errand he had sent him to the cow doctor, but directed him to go another errand (a mile and an half) on some trifling affair; the boy obeyed his master, took the horse, went and returned in the evening. Mrs. Bolton by this time was also returned, and the boy heard the prisoner tell her, that the apprentice girl had run away—that she had packed up several things and was taking them with her, but he prevented her escape at that time, but when he was going to speak to the boy she took that opportunity, and went out of the street door.

Now, Gentlemen, that man whom I mentioned before, who was sitting at his door, sat much longer than the time mentioned, but did not see any person come out of the house.

Gentlemen, I must now state to you that which will be worthy of your consideration. There was a cellar that had been dug some years before, but was a damp, wet place, and not fit for the purpose it was designed for; there was also a well in that cellar, and from the dampness of the place part of the wall had fallen down; I think towards the North West corner of the cellar. On the Monday morning the prisoner at the bar told the boy that he wanted that cellar filling up, and ordered him to wheel earth into it, the prisoner himself threw in the first barrowful, and said he would shew him a specimen. Gentlemen, the boy, in pursuance of his master's directions, began to wheel in the earth as he had thus been instructed.—The boy inquired what had become of

the spade, as he had missed it for some days before; the prisoner told him that the spade was down in the cellar, standing by the wall, he described the place where it was; the boy went into the cellar to seek this spade, there being no light there the boy was obliged to grope for it, and found it in the place where his master said it was laid. The boy continued to wheel the earth, and was directed by the prisoner to fill that part first towards the West corner. The boy continued at this work a good many days. The neighbours were very suspicious that something was not right, and that the story of the deceased's making her escape was not true, there being no inquiry made after her. Soon after this (on Monday the 5th of September) John Hall the Constable, went over to Mr. Cholmley, a Justice of the Peace, and informed him of the suspicions which had arisen concerning the girl; upon this information Mr. Cholmley granted a warrant against the prisoner at the bar; but before he had well gone out, the prisoner at the bar came to Mr. Cholmley himself, and told him a report prevailed, that he was the murderer of this girl; and wanted a warrant against the propagators of it for defaming his character. Mr. Cholmley told him, that Mr. Hall had been there on the same errand, and if he would follow and bring Mr. Hall, he would have the matter settled; a little after this the prisoner was seen galloping home, and went immediately to his house, he did not put the horse into the stable, but hung the bridle on a gate; he was seen soon after that coming out of the house with his pockets apparently full, and went off in great haste towards York. It was thought proper to make some search for the deceased. They searched in the cellar of the prisoner's house, and dug a great deal of earth away, and at last found the body of this poor woman, Elizabeth Rainbow, amongst that rubbish covered with earth.

Gentlemen, the body was in such a state and situation when found, that it was manifest she had been murdered by some person or other, for her hands were tied behind her back, a cord was twisted about her neck, and for the purpose of tying it faster, they had put a piece of stick, which appeared to be a flute or fife in this cord, which was about her neck, and by means of that stick the cord which was about her neck was twisted so hard as to strangle her, and in order to prevent this stick from returning, they had put it with a part of the cord which was about her neck, under her left arm. This was the manner of her death; it could not be done by herself, because it was impossible for her to tie her own hands behind her back, likewise it was impossible she could cover herself with the earth.

Though the body was greatly altered by lying so long in this manner, yet it was very well known by the neighbours, to be the body of this unfortunate girl. A surgeon was sent for, he said that the cord that was twisted about her neck was the occasion of her death, he opened the body and found she was four or five months gone with a male child.—Gentlemen, there are likewise some circumstances which relates to the prisoner, which are also worthy of you

your attention and consideration, that is, the prisoner at the bar came to an apothecary in this city some time in last spring; he wanted a medicine preparing, and after he had described it, the journeyman in the shop asked him, if he knew what sort of medicine it was, for it was very strong, but he said he knew it very well; accordingly it was made up for him agreeable to his direction. The poor woman that is now dead, communicated her complaints to a neighbour, I think one Mary Peterkin, she said she was not well, and that she had not been as other women were for some months, and that her master had given her medicines, but they had done her no good, and she wept much.

Gentlemen, after the body was found, Mr. Hall the constable, being informed, that the prisoner had gone towards York, he pursued him, but it being late before he got to York, chose not to go out that night—but the next morning he went to Tadcaster. Hearing nothing of the prisoner there, he returned to York, and got back about ten o'clock in the morning. When he came to York the report was spread, and he very soon got intelligence of the prisoner, he was seen going towards Mr. Lumley's. Mr. Hall went to Mr. Lumley's, and asked him if he had seen the prisoner. Mr. Lumley seemed at first shy to give him any information. Mr. Hall told him of the warrant he had from Mr. Cholmley. Mr. Lumley then told him he went into his garden, but not finding him there, he perceived the footsteps of a man that had gone over the wall. He was afterwards told, that the prisoner was seen on the city walls, and had gone towards the ferry, but it happened that some person got a sight of him going over it, and they called out to stop him. But, Gentlemen, I should have told you the reason of Mr. Lumley's being so shy to tell Mr. Hall where he was, he said to Mr. Lumley that the Bailiffs were in pursuit of him for a debt. When he was taken by one Baines, he asked him what was the matter, the prisoner said, he was afraid it was for a debt. The proper offices were searched, but no such process had issued out against the prisoner at the bar, for a twelvemonth before that. He surrendered himself at last to the High Constable of Bulmer liberty, and upon searching him a brace of loaded pistols were found in his pockets.

You will recollect, Gentlemen, that I told you when he came out of his house, it appeared that his pockets were full; when he came to York, he went to a silversmith, and sold some plate, when he was there he appeared to be in great confusion, and while he sat in the shop he had a book in his hand reading, which he took out of his pocket, and upon looking at it, they saw it was a book of roads.

Gentlemen, these are the circumstances that I am instructed to lay before you for your consideration. You will consider them all, and weigh them properly; if you find that those circumstances which I have stated are proved to your satisfaction, you will discharge the duty you owe to your consciences and your country by finding him guilty.

Counsel for the Prosecution.

THOMAS BUSFIELD. Where do you live?—At Mr. Garenciers's, apothecary in York; I am a journeyman to him.

Did you live with him last spring and summer?—Yes.

Do you know the prisoner at the bar? Yes.

Did you see him at your shop last spring? Yes, but I cannot tell the exact time; I think it was about the latter end of April.

Did you know him perfectly when he came? I had seen him once before, and I believe only once.

Did it occur to you at that time who he was? No, it did not. He wanted an electuary making up, for which he had a prescription.

Did you read the prescription? Yes, I did. I asked the prisoner if he knew the nature of this medicine. He said he did. I made it up according to his prescription. I asked him if he knew the quantity that should be given. He said he did.

What was the nature of this medicine? It was a preparation of steel.

Is steel a substance for removing obstructions? I never knew it given in any other way.

What was your reason for asking him if he knew the nature of it? Because there was no quantity mentioned in the prescription.

May that sort of medicine be taken by men for removing obstructions? No, I never knew it given but to women.

Is it of a forcing nature? Yes.

Is it dangerous to be given to a woman with child? It is. He left the prescription, and called for it again.

When did you see the prisoner after that? Not till the day he was apprehended.

Was he the person that called at your shop for that medicine? Yes, he was.

Cross examination. Is it a proper medicine to be given in the way alluded to? Yes, it may, if given in proper doses.

What quantity of steel was there in it? I cannot recollect; it was paid for; if it had been entered in the book I should have known. (*A book was shewn the witness, intitled, Every man his own Physician, and he was desired to look at a prescription in it for removing obstructions in the menstrual discharge.*) After the witness had looked at it, he said he could not say that it was the exact quantity, but he thought it was the medicine.

Was the prescription in writing? It was.

Was it the same as in that book you have in your hand? Pretty near I think.

Court. Was the prescription written by a physician? I do not recollect.

Was there any thing mentioned at the top of it about the menstrual discharge? I do not remember.

ELIZABETH SCAYLING. Where do you live? At Bulmer.

Do you know the prisoner at the bar? Yes, very well. On Sunday the 21st of August last, about five o'clock in the afternoon, I went to his house for a halfpennyworth of milk.

When you went there that night, was the door open or shut? It was shut, and the prisoner opened it.

What door did you go in at? The street door.

Did you say any thing to the prisoner? No, he went into the parlour. I went into the kitchen, and Elizabeth Rainbow was there: I told her I had brought fourpence halfpenny from one of our neighbours, and that I wanted change for my own. The deceased said her mistress was not at home, and she would defer it till another opportunity.

Did you see any body else in the house besides the prisoner and the deceased? No.

How did you know that it was about five o'clock? The clock in our house struck five just as I went out, and our house is only about two or three hundred yards from Mr. Bolton's.

How long did you stay at Mr. Bolton's? Only a little while, till the girl gave me the milk.

Cross examined. Did you observe at that time any thing amiss with the girl; was she discomposed, &c.? No, I did not.

What age was Elizabeth Rainbow? I cannot tell, but she has lived with him six or seven years. When she came to him she was a little girl, about eight or ten years old.

EMANUEL BOWES. How old are you? Seventeen next April.

Was you an apprentice to the prisoner? Yes.

How long have you been with him? About seven years.

Where did you come from? Ackworth hospital.

Did you know Elizabeth Rainbow? Yes.

Was she an apprentice to the prisoner? Yes, she came at the same time, and from the same hospital that I did.

What age was she? About three quarters of a year older than me.

Do you remember your master sending you any errand on the 21st of August last? Yes.

What time of the day was it? About four o'clock in the afternoon.

Was your mistress then at home? No.

Where did he send you? To Stittenham, about two miles from Bulmer.

How long had your mistress been gone out? About half an hour.

How did you know that? I saw by the clock. I saw my mistress go out at the door.

Where did she go? She said she was going to Toston, to see Miss Goddard.

Who went with her? Her eldest daughter, who is about seven years old.

Who were left at home? Elizabeth Rainbow, and a little child, about five years old, that lay ill in bed.

Who besides? My master, his son (a boy of about eight or nine years of age) and me. My master's son was playing out of doors.

What was the message you was sent? For the cow doctor to come and look at my master's cow.

Did you go? Yes.

Who went with you? My master's son, and another little boy that was playing on the Green; we all rode on the horse.

Did you see the cow doctor? Yes.

What did you say? My master's compliments, and desired he would come and look at the cow. He said he could not come that night, he was busy, but would come next morning.

What time was it when you spoke to the doctor? Between four and five. I went away about four. I rode directly there. When I got back again, and got to the house, it was near five, as near as I can tell. When I got into the yard, my master's son and the other little boy got off the horse, and went and played in the public waste, where every body's cows go. I turned the mare loose in the yard. I went to the glass door that opens into the orchard.

Is that the nearest way to the house? Yes.

What did you do there? I lift up the latch, and found it fast.

Did you knock at the door? No, I went round to the street door, and knocked for near a quarter of an hour.

Did you try to open the street door? No, it does not open on the outside.

What did you knock with? A rapper.

Did you knock so hard that if there had been any body in the house they might have heard you? Yes, very well. William Masterman, who lives opposite, was sitting at his door with a child on his knee; he laughed at me, and bid me knock hard, till my name was put up.

Was Masterman sitting opposite? No, a little astant.

Did you see him? Yes.

Did you speak to him? Yes.

Was any body sitting at the door with him? No body but his own child upon his knee. I then knocked louder, gave a good sudden rap, and heard the glass door open.

Did Masterman say any more to you? He told me he saw my master go round to the stable.

Could Masterman, where he sat, see back to the stable? Yes, the stable is at the end of the house. My master came towards the gate at the street, and met me there.

In what dress was he in? He was very much in a flutter; his hair stood upon end, and he had not his hat on.

What do you mean by being in a flutter? His face was much heated.

What difference was there in your master's look at that time from what it was when you went out? There was a great deal of difference; when I went out he looked as pleasant as could be; but when I came back his face was much heated, and looked very red.

Did

Did you speak to him first, or he to you? He spoke first, and said, I thought I had bid you go to the Moor-houses before you got off the mare. I told him I was sure he did not.

What did he then? He went to the stable, and got the bridle, and threw it down, and bid me take it and catch the mare, and go to the Moor-houses; the mare was then in the yard.

How far is the Moor-houses from the prisoner's? About two miles.

What was you to do at the Moor-houses? I was to go to Robert Boys about some hay.

Are you sure that was your business? Yes, I was to tell Robert Boys that my master would not take under one shilling a cock for that hay.

Did you catch the mare and go away? Yes.

Did you go into the house before you went away? No, I did not.

What became of your master? Before I went away, I saw him go into the garden; towards the house, the same way he came out.

Where were the little boys? When I came back first, I saw them playing on the Green with other boys.

When did you come back from the Moor-houses? It was about six o'clock, or a little after; people were going to milk their cows.

What did you do when you came back? I put the mare into the stable, and went to the street door, which was open, and went into the house.

Who did you see when you went in? I saw the little child that was ill, laid in the parlour upon two chairs.

Did you see your master? Yes.

Was your mistress come home? No.

What was your master doing? He was set by the fire in the parlour, drinking tea. Just when I got in, he asked me if Boys would give him a shilling a cock for that tithe hay. I told him No; he thought it was too dear. He then asked me if the cow doctor would come. I told him he was too busy, but would come on Monday. He then asked me if I had met Elizabeth Rainbow in my road as I came home.

But what did he say? He said Emanuel, did you meet Betty on the road; and I said No, have you sent her an errand. He said she is run away. I said what is she run away again; he said Yes, she had.

Did she ever run away before? Yes, she run away last May month, and was away three weeks. When I went in at the door, I saw a bundle of clothes lying upon the table in the hall. I saw my master open them out before my mistress came home.

What was in the bundle? There were some sleeves and some caps; and he said she had got some of my mistress's, and some of Miss Law's, (a lady in York, which used to come to the house) and some he said he did not know where she got them.

Did he give you any directions to follow her? No, he said she had the bundle under her arm, and he was sitting half asleep and half awake, and heard something slipping along the hall to the glass door; he came out of the parlour, and went up to the bed-

chamber, and saw her going along the orchard; and then he came down as fast as he could, and followed her; and when she turned back, and saw him, she went faster and faster; when she got to the field behind the barn, she threw the bundle over the hedge into my master's clofe. When he got up to her, he said he asked her where she was going to; and she answered, Do you think I am going to run away; he bid her come back again, and said she should not run away while her mistress was out, he would lock her up till she came home, and he brought her into the house. He said while he came out at the glass door to tell me to go to the Moor-houses, she went out at the street door, and run away, and he saw no more of her. I went into the kitchen, there was no Betty there. I sat about half an hour, it was then time to go to milk.

How long might that conversation betwixt your master and you be? About a quarter of an hour. The conversation, and my staying in the house, was about three quarters of an hour, as I guess. I milk in two places. I went first to milk two cows, and when I came back with the milk of these, it was seven o'clock, or after; I then went to milk one cow in another place.

How long might it be before you came back? It was near eight when I came home.

Was your mistress come back at that time? Yes, but not when I came from the two cows.

Did you hear any thing pass between your master and mistress? They were talking together in the parlour. I was in the kitchen. They called some people, and opened the bundle that the clothes were in to let them see them.

Did you hear your master say any thing to your mistress? He told her that she was run away.

Did you hear any thing more pass about her that night? No more that night.

What did you hear in the morning? I went next morning to milk.

What did you do after milking? I got my breakfast about nine o'clock. My master came to me, and said, 'Manwell you must get your spade, I have a job for you.

Did he tell you what that job was? Yes, to fill up the cellar. I had missed the spade two or three days before.

Where was the spade usually put? In the stable.

Was it made use of in cleaning the stable? Yes, I went to the stable but did not find it. I had before missed it two or three days, but durst not ask my master for it, because he was angry when I asked for any thing that was missing. I came to my master, and said, sir, do you know any thing of the spade? He said, you must go down into the cellar and you will find it against the wall on the right-hand side. The cellar was quite dark, he said I must feel along the wall, I could not miss it.

Did you do so? Yes, and found it in the place he said. I brought it up, and was to carry it into the orchard, and he would mark out the place where I was to take the earth.

Did you go? Yes.

Did

Did he go with you? Yes.

What was you to do? He ordered me to fill the wheel-barrow; and I saw him lay the boards for the wheel-barrow to run on through the hall; he wheeled the first barrow-full himself; he wheeled it through the hall to the cellar door; I saw him throw the earth which was in the barrow into the cellar.

Did you ever know the spade to be in the cellar before? Yes, I have had it there myself.

For what purpose? There was a kind of a well in it that I used to clean out sometimes. After my master had wheeled the first barrow-full, he gave me the wheel-barrow to take back, and get some more; he went along with me to the orchard; I filled it again, and wheeled the second barrow-full; he told me to throw it in at the cellar door and it fell down the steps; when I had got about half a dozen barrow-fulls, I heard some-body in the cellar moving the dirt; when I heard that, I kept wheeling on for about half a dozen more, about twelve in all.

Did you ever see who it was that moved the dirt in the cellar? After I had got about a dozen wheel-barrowfulls, my master came up out of the cellar.

What condition was he in? He appeared to be in a flutter, and his face red; he took out his handkerchief and wiped his face with it.

Had he any light in the cellar? No, if there had been any I should have seen it. He said he had been throwing the earth, and he would shew me how I was to throw the rest.

Did he shew you? Yes, he stood at the top of the cellar steps, and said. I must throw it strait forwards for I could not miss.

You say, you had been several times in the cellar; was there any rubbish in it before this? Yes, there was some spread all over the cellar.

Was there a great quantity of it? Yes, a good deal.

Was there any more in one part than in another? No, it was pretty level.

Did you continue to wheel the earth? Yes, and when I had got a quantity, I went down with the spade and threw it along the cellar.

Did your master give you any particular directions to throw more at one place than in another? No.

Did you wheel any more? Yes, I wheeled every morning for a fortnight together; when I had spread it the first day, I went out and he asked me if I had done it, and said I had been very clever; he took a candle and looked at what I had done; when he was in the cellar he fell into a passion, and said it was not done right. He called to my mistress, and said I was very stupid, he could not get me to do as he ordered me; he stood upon the steps with a candle in his hand, and made me take the spade and throw it where he had thrown it. It was in the corner opposite to the steps.

Where did he say he had thrown his? In that corner.

Did you do so? Yes, I shoveled it over, and threw it into that corner; he then told me I was to fill that corner up first, and then go to the other corners.

Did you follow his directions? Yes.

Did you put any into the other corners? No.

Was you present when they searched for the body? No.

Did you see the body after it was found? Yes.

This Sunday after you went to the Moor-Houses, that you have given an account of, how long was it after that till you saw the dead body? About a fortnight.

What sort of clothes had she on when you last saw her? A brown gown and check'd apron.

You say you saw the body after it was taken up; was that gown she had on the same as that you saw her in on Sunday? I could not tell her by the face, it was very much swelled and black. I cannot say it was the same gown, but it appeared to be the same.

Cross examination. Was not you carried before a Justice of the Peace, Mr. Cholmley, to give an account of this matter? Yes.

Don't you know when that was? No, I do not know the day of the month.

Do you recollect who was there with you? John Hall, the Constable, and several others.

Was what you said there taken down in writing by any body? Yes.

Did they read it over to you? Yes.

Did you set your name to it? I could not write, but I made a stroke.

Do you remember going to the glass-door, but finding no admittance; you went to the street-door, and then you heard the glass-door open; was that taken down? Yes.

Did you give an account of that conversation your master had with you, before Mr. Cholmley? Yes, that conversation was before my mistress came home.

Is this the account that you have always given? Yes.

Do you know Hall the Constable? Yes.

Do you live with Hall? I have lived with him ever since.

Do you know of any little quarrel that Mr. Hall had with your master before that? No, they had a few words about tything some hay-cocks, but I cannot tell how long it was before this happened.

Can you tell when it was that your master had taken a lease of the tythe? This was the first hay-tythe after my master had taken it. But they were both in a passion.

Did Mr. Hall say he would be revenged of your master, or that he would be up with him? No, I did not hear Mr. Hall say any such thing.

Did this quarrel last long? They quarrelled for a good bit.

How was it that you stayed with Mr. Hall? He was ordered to take care of me, and bound over for my appearance at the Assizes.

Who was present when your master said to your mistress, that Elizabeth Rainbow was run away? I donot remember if any body was by.

Who was present when he opened the bundle? One John Taylor, and some other of his tenants. I heard my master tell them that she was run away, and that he had taken the cloaths back from her.

Court.

Court. How long did you stay at your master's after that Sunday, before you went to the Justice of the Peace? All that night and next day after the body was found. I was on an errand when it was found.

Do you know if the prisoner made any enquiry after the girl? No, I never heard him enquire after that Sunday night.

Have you ever heard any thing of her being alive? People that lives in the house say she appears, but I never saw any thing of her. When you saw her after she was taken up, had she the rope about her neck; was the life there? Yes, it was in two.

Counsel. Did you ever see your master have a life before? Yes, there was an old life about the house, good for nothing, all the time that I lived there.

Did it appear to you to be the same? Yes.

Was there any other life there? No.

Was that life broke that was thrown about the house? No.

WILLIAM MASTERMAN. I live at Bulmer. How far is your house from the prisoner's? About twenty yards on the South side opposite to the prisoner's house. It is rather a little aslant.

Was you on the 21st of August last sitting at your own door? Yes, and a little child with me. I sat down about five in the afternoon, and sat till six o'clock.

Do you know Emanuel Bowes? Yes.

Did you see him when you sat there? Yes, I had been some little time there, but not long, when Emanuel came to the street-door, and knocked for a considerable time. I laught at him, and said, knock Manuel thy name's up (an old saying in our town).

Did he knock harder? Yes he did.

How long did he knock? I think from the time I saw him first, it was about a quarter of an hour. I then saw the prisoner walking across the yard, from the glass-door towards the stable. I told the boy that his master was gone there, the boy went immediately after him.

Did you see the boy afterwards? I saw him on horseback a little after that, and I saw the prisoner cross over the same way he came.

How long might it be after the boy went to his master, that you saw him on horseback? About eight or nine minutes, I cannot be certain.

When you was sitting there, did you see the street-door? Yes, very well, it never was opened all that time.

Are you certain that nobody went out? I am very certain that nobody came out till six o'clock when I went away.

RACHEL BELL. Are you servant to Miss Goddard? Yes.

How far does Miss Goddard live from Bulmer? About two miles.

Do you remember Mrs. Bolton being there on the 21st of August last? Yes.

Who was with her? Her daughter, a little child.

What time did they come there? I cannot tell. I was at church, but they went away towards six o'clock.

JOHN HALL, Constable of Bulmer. Give an account of what you know of this matter. I know that Mr. Bolton had an apprentice girl, Elizabeth Rainbow, and it had been reported in the neighbourhood, that she had been missing for about a fortnight; it was supposed she had been with child before that; it did not appear that Mr. Bolton had made any enquiry after her. The people were suspicious that some accident had happened. Mr. Bolton had an Ackworth boy; and it was reported he was wheeling earth into the cellar, on the 5th of September last. The other officers and I consulted together to consider what was to be done. It was agreed that I should go to Mr. Cholmley. I went, and he said he would grant me a warrant to search for Elizabeth Rainbow, and apprehend Mr. Bolton. As soon as I got the warrant, I returned to Bulmer, and went to the prisoner's house to search for this girl. I took a candle in my hand and went into the cellar, between two and three o'clock in the afternoon, with four or five men with me. When I went down the steps there appeared like a slope bank with fresh earth.

What were the mens names? Mark Richardson, Robert Warwick, &c. &c. We looked about the cellar, and one corner was filled up with fresh earth within a little of the chamber joists. I left a guard in the cellar, and went to bring candles and materials to remove the earth. I brought them and began at the edge, and cast several loads back, and Mark Richardson striking his dig that he had to loosen the earth with, it rebounded; he said there was something here. I desired him to be careful; he picked easily about, and something started up like a stick end; he gave it a pull and found it fast; he gave it another pull and a twist about, and it broke. He picked carefully about with his shovel, and we discovered her head. He took the earth carefully off with his spade behind her, and the body appeared.

Was the body covered with fresh earth, or any other thing upon it? There was rubbish upon the body, and fresh earth over that. She laid upon her right side, and we saw her hands were tied behind her back by that cord (holding up a cord at same time) and we looked towards her head and found that thick cord about her neck. It was twice round and the other end of the life was in the cord by way of a twitch. It was twisted as hard as it could be, and the end of the life was secured that it might not go back again, by being fastened under her arm.

Did you take her out of the cellar? No, I went to Mr. Cholmley.

Before you went out of the cellar, did you take any observation of her? Yes, but I could not say that it was her, for she was covered with earth, and the earth was wettish. I appointed a guard and went to Mr. Cholmley's to give him information, and told him we had found the body. Mr. Cholmley granted me a fresh warrant to go in pursuit of Mr. Bolton.

Did you do so? Yes, I came to York that night, which is about 17 or 18 miles from Bulmer. I made what enquiry I could; but could not hear of him that night. Next morning, I got my warrant indorsed, and went to Micklegate-Bar; and was told that Mr. Bolton went through about four or five o'clock in the morning. I went to Tadcaster, but got no intelligence of him. I came back to York, and was going to return to Bulmer, when a man came to me and told me the person I was in pursuit of was at Mr. Lumley's. I went there accordingly and saw Mr. Lumley at the door, and asked him if Mr. Bolton was there. I told him I had a warrant to apprehend Mr. Bolton. He then said, he was walking in the garden. I went into the garden, but did not see him, but observed some footsteps upon the border, near the wall. Mr. Lumley opened the back door, and I went into a piece of ground called Lord Mayor's Walk, out of Monk-Bar. I saw people running in the walk as far as I could see. I came to Gillygate, where I was told he had taken the boat and crossed the river. I then made my way towards Ouse-Bridge, where I learnt that he was taken. Was your present when he was apprehended? I never saw him again till I came to the Guildhall. What past when you went there? They asked me if that was the man I wanted. The Alderman ordered me to take him, which I did; and upon searching him found a brace of pistols in his pockets both loaded and primed.

MARK RICHARDSON. Was you along with Mr. Hall, the Constable, when he went to search the cellar belonging to the prisoner? Yes, I went along with the Constable, and went down into the cellar; the steps were like a sloped bank; when we got there we could do nothing without candles, which the Constable got. The corner next the cellar door was filled with earth, almost to the top. I took the shovel and took a little of the earth, and found a stick. I gave it a pull, but found it fast. I gave it a twist, and it broke. I saw some hair, and then perceived her left arm, which seemed fast. I then took my dig and pulled her up. Her arms were tied behind her back. There was a cord round her neck, and the other part of the life was twisted in the cord and tied under her left arm.

Did you know Elizabeth Rainbow? Yes, I had seen her before.

Was it her that you dug out of the cellar? I cannot say that.

What sort of a gown had she on? A greyish gown and strip'd petticoat, white and brown stripes. I could not distinguish who it was. I knew her before, but she was much altered; her face was very much swollen, and of a blue colour.

Was the body offensive? Very offensive.

MARTHA BEDALE. Do you live at Bulmer? Yes.

Did you know the deceased, Elizabeth Rainbow? Yes, very well.

Did you see a dead body taken out of Mr. Bolton's cellar? Yes, I saw the body of Elizabeth Rainbow, when she was lying in the cellar; her body was very well known; it was her body and no other. When she was brought into the air, she appeared sore disfigured.

Are you sure it was her? I am sure it was her and no body else.

JOSEPH WEST. Are you a surgeon? Yes, and live at Weiburn, about a mile from Bulmer.

Was you sent for to open a body? Yes, I was sent for to open a body that was found in Mr. Bolton's cellar.

Was it in the cellar that you opened it? No, it was brought into the yard; when I opened the body I found a male foetus.

How far gone? About five months.

When you saw her in that situation, what did you think was the cause of her death? By a rope about her neck.

Was the rope about her neck when you found her? Yes, I took it off. It was twice about, and twisted with the life. I examined the gullet with my finger, and found it twisted in two.

ROBERT WARWICK. Do you live at Bulmer? Yes.

Do you remember where you was on the 5th of September last? Yes, I was going to the harvest field.

Did you see the prisoner that day? I saw him coming towards his own home on horseback, riding very sharply.

Was there any road where he was riding? No.

How far was it from his own house? About 300 yards. I saw him ride to his own orchard end, and alight off his horse, and hang the bridle on the stile.

Did he go fast or slow? He run along the yard, and went streight to his own house, and stayed there about a quarter of an hour, and then he came pretty sharp down the yard, came over the stile and mounted his horse. He came towards where I was going.

What way was that? Towards York. I observed that his pockets stuck out on both sides. I thought it was linen.

Was he going quick? He went very quick after he got past us; I believe he galloped; the way he went led towards York.

Cross examined. What grounds was he in when you first saw him? A neighbour's.

Was there any openings? No, there was no gate but a foot way.

THOMAS WILLAN. Are you a silver-smith in York? Yes. I remember that the prisoner came to my shop on the 5th or 6th of September last, the same day he was apprehended. He was in the shop about seven in the morning, before I got up. He wanted to dispose of some plate.

What plate was it? Six silver table spoons; four of them had Mr. Bolton's name upon them, the other

two had not; a silver coffee-pot stand; the whole of which I bought, and paid him for them; he had also a light half guinea, which I bought likewise.

How long might he stay in your shop? The greatest part of an hour.

Did you see him have a book in his hand? Yes, it was laid on the counter. It was a little book. I peeped into it and saw Paterfon's Roads.

Did you know him before? Yes, I knew him as being a customer. He always appeared as a gentleman. I never had seen him appear so before.

The Rev. THOMAS LUMLEY. Do you know the prisoner? Yes.

Did he come to your house that day he was taken up? That morning about ten or eleven o'clock he came, and asked the servant if I was at home, the servant said I was either in the parlour or the garden; he went into the garden, they came and said, that Mr. Bolton wanted me, I went and asked him, how he came there, he pointed to a high wall adjoining, and asked if he could get over that wall, I told him by no means. I said, for God's sake, Captain Bolton, what is the matter? He said he was pursued by a Bailiff, or Bailiffs. I desired him to go into the house, but he said he could not stay a moment. He asked me if he could get into a gardener's garden, which is only separated from mine by a quickset hedge; I have liberty to walk in it, the door was open and he went into the garden, and I went into the house to tie my garters, intending to return to him. I found a great many people at my door, I went out to them, and asked what was the matter, the Constable shewed me the warrant. I then went and opened the garden, but he was not there. I did not see him again till he was apprehended.

Did you know that he had been in the army? Yes, I have known him these several years.

JOSEPH BAINS. Are you a labourer in York? Yes.

Did you see the prisoner come over the ferry on the 6th of September last? No, but there was somebody that came shouting out if we saw a man coming over with a riding coat under his arm; I looked out and saw the gentleman, I went and stopped him; he asked for what? I said there was some-body or other that wants to speak to you, there were some men coming up.

Did you let him go? No.

Did he say any more to you? He said it was some trifling debt they were pursuing him for.

JOHN HALL, MARK RICHARDSON, and EMANUEL BOWES were called in. John Hall was desired to produce the fife, Mark Richardson said it was the very fife, one end of it he broke away, and the other part was that which was in the cord twisted about the deceased's neck. Emanuel Bowes was desired to look at it; he said it was the fife he had seen about the house before; he knew it by one of the ends that had a little brass upon it; he

said he was very sure it was the same, for he never saw another fife about the house.

FRANCIS MEGISON. Did you search the offices in this city to see if there were any writs against the prisoner? Yes. I searched the office for the county, and for the liberty of St. Peter, but found none.

Mr. WILLIAM GRAY was sent out of Court to search the books for the city, and when he returned, deposed, that he had searched the proper office for the city from September, 1773, to September, 1774, but found no writs, or entry of a writ against the prisoner during that time.

PRISONER'S DEFENCE.

My Lord,

ON the 21st of August my apprentice girl, Elizabeth Rainbow, came and acquainted her mistress, that Miss Goddards would be glad of both our companies to drink tea with them on Sunday evening. Mrs. Bolton applied to me, and asked if I would go with her to Miss Goddards. I made answer, I had no objection, but having a fore throat, she thought it was better for me to stay at home to wait for Thomas Pickering the cow doctor. She desired me to send for this cow doctor, or go myself, I had been two or three times for him before, but did not see him. As soon as Mrs. Bolton went away, I went to see for the lad, Emanuel Bowes, to send him for this man. I told him to take my horse, and be sharp back again. My message to Tommy was, that I had been several times for him; that my cow was extremely ill, and that if he could come up that evening, I had a bottle of very good wine for him. When the boy came back I was in the fore garden;—before that, I had some lambs which were unruly, and had got out of my grounds into my neighbour's. I endeavoured some time to get those lambs from my neighbour's ground, but they got into the corn field, and went down to the bottom of a hill, called the Wendales. I went after them, being afraid they should get into the corn. I got them up the Wendales, to my field, called the Wendales Close. Soon as I had put them in the close, I came down the orchard, went into the garden, being a little warm with running after the sheep. I was pulling a few goose-berries in my hat, when I perceived the mare running in a violent manner about the orchard. I apprehended that the boy had done something to fright her, I ran to the stable to seek for him, and found the bridle laid on the ground. I took up the bridle, and going to my house to seek for the lad, I met him, and asked what message he had from Thomas Pickering; his answer was, he would be with me immediately. Upon that, I went to my garden and shut the gate, took my hat, and went to the close at the North West end of the town to meet the cow doctor. The cows were at the bottom of the close. I brought them

them up to be ready for Pickering. I was there about an hour, and was quite out of patience that he did not come to me. I went home about half an hour after six; when I got there a neighbour came who wanted some ash wood of me; he spoke to me at the gate, I brought him into the orchard, and we talked perhaps a quarter of an hour. After he went away, I went into my house, the glass door was shut but not very fast. I went into the dining room, and rung the bell for the girl to bring the kettle. She not coming, I went into the kitchen to seek for her; from thence I went up to the bed-chamber, where my little daughter lay ill, and expected to find the girl there; but not finding her, as I came down the stairs to the hall I met the lad, Emanuel Bowes, coming in at the glass door, and asked him if he had seen the girl any where; he said he had not. I said to him she had been for running away, and perhaps had hid herself, (as she had a practice of hiding herself, and would have stayed away a whole night.) The next morning I said to Mrs. Bolton, I must make some inquiry about this girl. I inquired if Mr. Cholmley was in the country, but could get no intelligence whether he was or not; I heard nothing of his being in the country, till I heard that John Hall the Constable, had been with him. When I came to Mr. Cholmley, he seemed to be very much displeased with me, and told me he had granted a warrant to search for Elizabeth Rainbow, on suspicion that she was murdered. I asked Mr. Cholmley what I must do, who said I might come over that evening, or the next day; but he seemed rather to fix next day for my coming. I went home pretty fast, in order to overtake the Constable, to bring him back to Mr. Cholmley. As I went home, I went over Mr. Calvert's farm, through Bulmer Hagg, where there are gates; it is a bridle road. I came to the end of my orchard, where there is a stile, and went down the orchard in hopes of finding my boy, but did not see him. I went into the house, and told Mrs. Bolton that I had been at Mr. Cholmley's. I asked her if John Hall had been there, she said no. I told her at the same time, that Mr. Cholmley had granted a warrant to John Hall, to search for the girl, on suspicion that she was murdered, and that if he came there, to let him search in every part he thought proper. I got my dinner, as it was then ready. Mrs. Bolton was very uneasy, and desired me to go to York, or Malton, and ask advice. When I went over to Mr. Cholmley, I had not put a clean shirt on, I therefore said I would take a shirt with me, and dress after I got to York. I came directly to York, and as I came to Mr. Mortimer's office, I looked in to see if he was within. I then went to Bootham Bar, and put my horse up there. I then went to Mrs. Newton's, in Marygate, there was some company there going to supper; Mrs. Newton wanted me to sup, but I begged to be excused, as she had company. I went from thence to the Coffee-houses, to see if I could meet with any acquaintance. I met with a person in the street, whose name is Simpson, and desired him to make some inquiry after the girl who lived with me at Bulmer. I did no more that

night. Next morning I went to look for this Jacob Simpson, without Monk Bar. I waited there about half an hour; I then perceived a great crowd. I went up to the crowd, a woman stepped out, and asked me, if I wanted to see any neighbours? I said I did. She told me that John Hall and Mark Richardson were in town. I said I wanted to see them.

The crowd got about me, and I asked what they wanted, or what they had to say to me. I was very much frightened when they gathered about me. I went into Mr. Lumley's, as he has informed you, and was going to get my horse, and to call upon John Hall at Mr. Featherstonehaugh's. I begged of this man, Baines, and Mr. Pickard to go to the inn with me for my horse, and that I had to call on John Hall, the constable, at Featherstonehaugh's, the White Swan in Petergate. This was not agreeable to them. I went with them to the Guildhall, and from thence to Mr. Cholmley, the Justice.

I have very seldom travelled without pistols for twelve years past, being twice way-layed. My reason for filling up the cellar was, that the water came in very fast ever since it had been sunk, which is near nine years ago: It came in so fast that it hurt the foundation of the house, and part of it, at that end, fell in about two or three years ago. In the winter before last my eldest son fell into it, when it was full of water, which made Mrs. Bolton and myself so uneasy, that I promised I would fill it up as soon as the cellar was dry. This declaration I made to several persons; and as soon as the cellar was dry, and hay-time over, I set about it, by giving directions to the lad, and telling him that he should have the gardener to assist him, as soon as I could get him; but I entirely deny that I wheeled, or put in any of the earth, as he mentioned in his evidence.

THOMAS PICKERING, (a Quaker, who at first refused to take the oath, but being urged by the prisoner, at last consented.) I believe you are a person skilled in curing disorders in cows? It is what I am employed in.

Do you recollect any message from the prisoner to come and look at a cow of his? Yes, the last message I had from the prisoner was by a boy; but before this, I happened to be from home; they told me there had been messages from Mr. Bolton.

What did the boy say when he came? He gave his master's compliments, and desired me to come and look at his cow, and drink part of a bottle of wine with him. [The boy was called into Court, and asked if that was the cow doctor he went for; he said it was. Thomas Pickering was asked if he was the boy that came with that message from the prisoner; he said he was the boy.]

What answer did you give the boy? I told the boy that I would wait on him immediately, but I was disappointed from going, by somebody coming to pay me some money.

Cross examination. Was the boy gone before these people came? Yes, but I then intended going, but was detained by those people till it was too late for me to go.

THOMAS

THOMAS TAYLOR. Have you known Mr. Bolton long? About six years.

Do you live at Bulmer? Yes.

Have you ever heard Mr. Bolton say any thing about his cellar? Yes, I have heard him say he would have it filled up twelve months before this affair happened. He said it had let part of his house down, and was like to do it again.

When was that? In York race-week; and as soon as the throng of his hay was over he would have it done.

Did you ever hear Elizabeth Rainbow, or Emanuel Bowes say any thing about it? Yes, I have heard them both say their master intended to fill it up.

Do you know any thing of Mr. Bolton's cow being ill? Yes, I attended her every day, both morning and night, for a fortnight.

Do you know any thing of his sending for Pickering, the cow doctor? Yes.

What day was it? It was on a Sunday.

Did you see Mr. Bolton that day? Yes, I saw him in his garden about two or three o'clock in the afternoon; I saw him again about five, bringing back some lambs that had gone out of his close.

Was this after the boy had gone for Pickering? Yes, my boy came and told me. I saw Mr. Bolton getting the lambs out of the land called the Wendles, it was a corn field.

Where was it that your little boy came to you? In a yard belonging to the next door neighbour of Mr. Bolton. My little boy came into the yard, and said he was hungry, for he had been with Emanuel, and Mr. Bolton's son, to Tommy Pickering's.

Where did you see Mr. Bolton go to when he brought up those lambs? Towards his own house; and in about a quarter of an hour I saw him go out to meet Tommy Pickering.

Where was Mr. Bolton's cow that was ill? In a close that joins the common pasture. Mr. Bolton was going towards it; it is in the road to Pickering's house.

Did you see him return again? No, but about half an hour after this I saw him going into his own garden. He said he had been waiting on Pickering all that time, but he was not come.

How long might you talk with him? It might be about half a quarter of an hour.

During that time, did you observe any thing about him more than usual? No, I did not.

What time was it? Near six in the evening.

Cross examination. Where do you live? At Bulmer.

What business are you? A farmer.

What age is your little boy? Coming seven years old.

Is your house near Mr. Bolton's? It is the nearest house there is.

What time was it when you saw him coming from the lambs? About five o'clock.

Was any body with him? No.

Where did you say he went? Into his house.

Was his hat on or off? I cannot say.

JANE TAYLOR. Are you the wife of Thomas Taylor of Bulmer? Yes.

Do you know Mr. Bolton? Yes, I live next door to him.

Did you know the apprentice girl that lived with him? Yes, Elizabeth Rainbow.

Have you ever heard her say any thing about the cellar? Yes, Mr. Bolton gave me leave to get water out of the cellar. He said I could get no more after that, for he intended to fill it up, for his little boy fell into the cellar. Elizabeth Rainbow said that I should not have any more after that winter; the apprentice boy said so too.

Did you know of Mr. Bolton's riding with pistols? Yes, he never went from home without them.

Where did he carry them? In his pockets.

Did you not work at Mr. Bolton's? Yes, very near a year.

Do you remember Elizabeth Rainbow's saying she was not well? Yes, I said what did she ail; she said she could not tell, but her legs swelled; her mistress was in the hall and heard us, and said if she was well to eat and work, there could be little the matter with her; but she said she might live or die for her mistress.

Did you understand what ailed her? Yes.

Was her complaint that which belongs to women? Yes, I examined.

Did Mrs. Bolton say any more? She said when Mr. Bolton or her went to York they must get something for her, but she was so stupid she would not take it, though they got it.

Cross examination. Are you wife to the last witness? Yes.

To whom are you tenants? To Captain Bolton.

What did you think was the matter with this girl? I thought it was the green-sickness.

When was it she told you she was ill? About Christmas. Mr. Bolton said he would have the cellar filled up as soon as the summer came in, for fear of danger.

WILLIAM NICKSON. What business are you? A farmer.

Do you know Mr. Bolton? Yes.

Do you remember to have been with him on the 21st of August last? Yes. About half an hour past six in the evening I was coming down, and Mr. Bolton was resting over a gate, within three yards of his dwelling-house door.

Did you buy any thing from him? He called me over about some wood that I was buying from him before; he said he would let me have it.

How did he look? He appeared as free and hearty as ever I saw him in my life.

HANNAH LAW. Did you visit Mr. and Mrs. Bolton frequently? Yes.

Did you ever hear of the cellar being intended to be filled up? Yes.

How long have you known them? About nine years, and visited them every year. I heard of the intention of filling up the cellar two years ago.

What

What reason did he give for filling it up? It damaged the foundation of the house, and his eldest son, a boy about ten years of age, fell into the cellar about two years ago.

When did you hear him say so? In August last he said he would have it done as soon as the hay was in.

How long was you there? Three months.

Do you know if it was his custom, when he went from home, to carry pistols with him? Yes, he always did.

How did he carry them? In his pocket, he said for fear he should be robbed; he said he had been twice attacked.

What character had Mr. Bolton? He was a very humane, good-tempered man as can live; I have been five months together in his house.

Cross examination. Are you a relation of the prisoners? No, only an intimate acquaintance of Mrs. Bolton's.

THOMAS WATSON. Do you keep an inn at Sheffield? Yes.

Do you remember the prisoner's purchasing any pistols? Yes, he was at Sheffield recruiting, in the year 1762, and lived at my house. He went up into a close where his mare was, to see her; he saw some men that he suspected were going to rob him; these very men were soon after apprehended for robbery.

Did he buy any pistols? Yes, both him and I bought a brace of pistols.

Did he wear them in his pocket? Yes.

JACOB SIMPSON. Do you live at York? Yes.

Did you ever live at Bulmer? Yes.

How long is it since? Near two years. I used to work at Mr. Bolton's house.

Did you see Mr. Bolton in September last? Yes, on Sunday evening, near Bootham Bar. I asked him how he did and the family: He said they were very well. I said if he was going to Bulmer, he would have a very bad night. He said he was going to Leeds to inquire for his apprentice girl that had been missing for a fortnight.

Did you know the girl? Yes, I did.

Did he desire you to inquire after her? Yes, he said as I lived at York, he desired that I would make the best inquiry I could, I said I would, and accordingly went to the Blue Bell in Fossate.

Did you ever know of her running away before? Yes, I heard she had run away to Leeds.

Was you to meet Mr. Bolton after your search? Yes, he desired me to meet him between ten and eleven o'clock next morning, at Monk Bar, to know if I had heard any thing of her.

The Rev. Mr. LAYBURN. Do you know Mr. Bolton? Yes, I have known him for eleven years.

Do you know any thing about this cellar, if he meant to fill it up? I have heard him frequently talk about it; the first time about five years ago; but I have heard him frequently say he would do it since, and I have advised him to it.

What sort of character and disposition had he? He is warm in his temper, but is a good-natured humane man. I never heard of his character being impeached.

Mr. CHRISTOPHER MORRITT. Are you acquainted with Mr. Bolton? Yes.

How long have you known him? About six or seven years, ever since he has been in the militia.

Did you ever hear him say any thing about his intention of filling up his cellar? I have.

Did he give any reasons for it? He said his house was exceedingly damp, by the wet coming in. This was in the year 1773, some time in October. He said he would try it another winter, and if it was no better he would certainly fill it up.

What sort of a character had he? I reckoned him a very good-kind of man, but we thought him flow in parts, and so humane, that he was called by the name of honest Bolton. He was frequently called so.

HENRY BLACKESTON. Are you a butcher? Yes, and live at Whitwell, about three miles from Bulmer.

Is there a brother of Mr. Cholmley's lives there? Yes.

Do you remember being at Bulmer after this girl was missing? Yes.

Did you see Mr. Bolton? Yes, we had not an opportunity of going into the field—it was raining. He asked me if Mr. Cholmley was at home; I asked which of the Cholmley's; he said Squire Cholmley, the Justice, he wanted to know if he was at home, because his girl had run away.

How long was it after the girl was missing? About a week before the girl was found.

GEORGE CHAPMAN. What business are you? A carpenter.

Where do you live? At Thornton.

Do you recollect being at Bulmer in August last? Yes. Was there any inquiry made about this girl? Yes, Mr. Bolton asked me if I had heard any thing of her.

The Rev. Mr. IBBETSON. Have you known Mr. Bolton for any time? Upwards of four years.

What was his general character? He had always a very good character for any thing that ever I heard.

Did you reside at Bulmer? Yes, I did duty there and lived neighbour to him.

Did you use to converse with him? Yes, he was always a very agreeable good-natured man.

Did you ever see or hear of him being inclined to cruelty? No, I looked upon him to be a good-natured man.

The Jury returned their verdict GUILTY.

Sentence was immediately pronounced by the Judge to the following effect.

JOHN BOLTON. I now tell you a very plain truth, that I undergo the greatest concern in executing this charge, which my office obliges me to.

Such clear evidence has appeared upon this trial, that I am sure it must shock every thinking person.

person that has heard it; and as you are found guilty by the verdict of your countrymen, of the horrid crime laid to your charge; I hope you have made a proper use of the time you have been under confinement, in supplicating that Almighty Being, from whom you may hope to obtain mercy, when it will be in vain to seek it from an earthly Tribunal. I do assure you, that I have not the least doubt in my own mind that you are guilty of the crime of which you have been convicted. The circumstances are so clear, so forcible, that no man that has heard this trial can find any solidity in your defence.

The law has thought fit in great wisdom, to inflict a punishment upon persons found guilty of a crime of

this nature, which points out the heinousness of the offence. This will happen when you are no more in this world. Consider with yourself; and endeavour to find mercy, while there is any hopes of it. There is very little time for you to live in this world, but if you employ that time properly, you may find mercy from the Fountain of all Mercies.

The sentence that the law obliges me to pronounce upon you is, That you, JOHN BOLTON, be led from this to the place from whence you came, and taken to the place of execution on Wednesday morning, and hung by the neck till you are dead; and after that your body to be dissected and anatomized. *God have mercy upon your soul.*

In the Press, and in a few Days will be Published,

Agreeable to the Order of the JUSTICES,

T H E

T R I A L S at L A R G E,

Of the PRISONERS in the CASTLE of YORK,

(Amongst which are several Remarkable ones)

B E F O R E

Sir H E N R Y G O U L D, K N I G H T,

At the L E N T A S S I Z E S, 1775.

Taken down in S H O R T - H A N D in the COURT,

By W. W I L L I A M S O N.

"9 The execution of his sentence was anticipated by his suicide, effected with great determination by means of a piece of list garter, a cord and a handkerchief, secured to a post of his table fixed in an arched, and he thus died the same death he had inflicted on his unfortunate victim. The prose description from which we have condensed the above states that his body was buried at the three Lane Ends near York Barracks at 10 at night with a stake driven through the body but the curious song on the subject, which is copied below, gives another disposition of his remains. His victim was buried at Bulmer, September 6th 1774.

" A true and tragical song concerning Captain John Bolton of Bulmer, near Castle Howard, who after a trial of nine hours at York Castle on Monday the 27th of March 1775 for the wilful murder of Elizabeth Rainbow, an Ackworth girl his Apprentice; was found guilty, and immediately received sentence to be executed at Tyburn near York on Wednesday following, but on the same morning he strangled himself in the cell where he was confined, and so put a period to his wicked and desperate life. His body was then pursuant to his sentence, given to the Surgeons at York Infirmary to be dissected and anatomized.

To the tune of "Fair Lady, lay your costly Robes aside."

' Good Christian people, all both old and young.

Pray give attention to this tragical song.

My days are shortened by my vicious life.

And I must leave my children and my wife.

When I was prisoner to York Castle brought,

My mind was filled with dismal penitential thought.

Conscious of guilt it filled my heart with woe;
Such terror I before did never know.
While at the bar of Justice I did stand
With guilty conscience and uplifted hand,
The Court straightway then unto me they said:
'What say you Bolton to the charge here laid?'
In my defence I for a while did plead
Sad sentence to evade (which I did dread).
My Counsel I did hope would get me clear,
But such a train of proofs there did appear
Which made the Court and Jury for to cry
He's guilty, let the wretched culprit die.
When I in fetters in York Castle lay
The morning of my execution day,
For to prevent the multitude to see
Myself exposed on the fatal tree,
I then did perpetrate my last vile crime
And put a final end unto my time.
Myself I strangled in the lone some cell
And ceased in this transient world to dwell."

The above extracts are from "The Family of Bolton in England & America 1100-1895"
pp. 71 and 72. New York. Privately Printed 1895.

The prose & verse accounts quoted above are stated therein to be "two curious
anonymous publications still to be seen in the Bodleian Library and the
British Museum."

J.C.B. 9/9/1916.





